

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

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|---------------------------|---|---------------------------|
| BRANNEN TIDWELL, | : | |
| | : | |
| Petitioner, | : | |
| | : | Case No. 5:09-CV-90055-HL |
| v. | : | 28 U.S.C. § 2255 |
| | : | Case No. 5:07-CR-80-HL |
| UNITED STATES OF AMERICA, | : | |
| | : | |
| Respondent | : | |

ORDER

This case is before the Court on the Report and Recommendation (Doc. 43) (the “R & R”) of United States Magistrate Judge G. Mallon Faircloth on Petitioner Brannen Tidwell’s Motion to Vacate, Set Aside, or Correct Sentence under 28 U.S.C. § 2255 (Doc. 41) (the “Motion”). The R & R recommends denying the Motion. Petitioner has filed an Objection (Doc. 44). Pursuant to 28 U.S.C. § 636(b)(1), the Court has thoroughly considered Petitioner’s Objection, has made a de novo determination of the portions of the R & R to which Petitioner objects.

The Court, however, accepts and adopts the findings, conclusions and recommendations of the Magistrate Judge. The R & R is adopted and made the order of this Court. Petitioner’s Motion to Vacate, Set Aside, or Correct Sentence under 28 U.S.C. § 2255 (Doc. 41) is dismissed.

SO ORDERED, this the 21st day of September, 2009.

/s/ Hugh Lawson
HUGH LAWSON, JUDGE

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